



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

STATE PLUMBING BOARD  
BUREAU OF CONSTRUCTION CODES  
Conference Room No. 3  
2501 Woodlake Circle  
Okemos, Michigan 48864

**AGENDA**

**December 13, 2011**

10:00 a.m. Eastern Standard Time

1. Call to Order and Determination of Quorum D. Branch
2. Approval of Agenda – December 13, 2011 (Pages 1 – 2)
3. Approval of Minutes – September 20, 2011 (Pages 3 – 8)  
Approval of Examination Minutes – September 7, 2011 and September 21, 2011 (Pages 9-10)
4. Approval of Examination Results (Pages 11-14)  
Approval of Journey Plumber Examination Results – September 21, 2011  
Approval of Master Plumber Examination Results – September 21, 2011  
Approval of Plumbing Contractor Examination Results – September 7, 2011
5. Applicants Appearing Before the Board (Pages 15-27)
  - A. Baker, Jeffrey Master Plumber Applicant
  - B. Hagman, James F. Master Plumber Applicant
  - C. Brenner, Jason J. Master Plumber Applicant
  - D. Jackman, Timothy M. Master Plumber Applicant
6. Good Moral Character Appeals
  - A. Spisz, Henry S. Master Plumber Exam Applicant
7. Construction Code Appeals Request (Pages 28-43) R. Konyndyk
  - A. TMP Architecture, Inc., Detroit Country Day School, CCC-PLBG-11-012

The meeting site and parking is accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services in order to participate in the meeting should call the Plumbing Division at (517) 241-9330 at least 10 work days before the event. LARA is an equal opportunity employer/program.

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- B. MPA Architects, Lakeland Niles Medical office Building, CCC-PLBD-12-002
- 8. New Products (Page 44) R. Konyndyk
  - A. Wedi Fundo/Riolito Shower System, BCCP-11-008
  - B. Hydroflo Systems Waterproofing Sub Soil Drain System, BCCP-12-001
  - C. Triangle Tube Challenger Combination Boiler and/or Water Heater  
Models CC85, CC105 and CC125, BCCP-11-009
- 9. Chief's Report R. Konyndyk
  - A. State 2012 Proposed Rules Process
  - B. ICC 2015 Code Committee Process
- 10. Legislative Update R. Konyndyk
- 11. Unfinished Business
- 12. New Business (Page 45)
  - A. Sean Cleary, ASSE Backflow Training Requirements Sean Cleary
- 13. Public Comment
- 14. Next Meeting -- February 28, 2012
- 15. Adjournment



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Conference Room No. 1  
2501 Woodlake Circle  
Okemos, Michigan 48864

**MINUTES**

**September 20, 2011**

10:00 a.m. Eastern Standard Time

**MEMBERS PRESENT**

Mr. Duane Branch, Chairperson  
Mr. Steve Busch  
Mr. Brock Howard  
Mr. David Jones  
Mr. Walter Maner  
Mr. Curt McNitt  
Mr. Daniel Nixon

**MEMBERS ABSENT**

**DEPARTMENT OF LICENSING & REGULATORY AFFAIRS**

**PERSONNEL ATTENDING**

Mr. Robert Konyndyk, Chief, Plumbing Division  
Mr. Keith Lambert, Deputy Director  
Mr. Andy Neuman Jr., Assistant Chief, Plumbing Division  
Mr. Joe Madziar, Senior Plumbing Inspector  
Ms. Michele Ramsey, Plumbing Division

**OTHERS IN ATTENDANCE**

Mr. Makkar  
Ms. Cindy Maher, MPMCA  
Mr. Julius Ballanco, Sure Seal  
Mr. Jeff Nehring, John Guest USA  
Mr. Kirby Meagher, Sales Service Plus, John Guest  
Mr. George Johnston, Sure Seal  
Mr. Zach Voogt, Moore & Bruggink, Orchard View  
Ms. Susan Wheaton, Tower Pinkster  
Mr. Dean Van Zegeren, Reeths-Puffer Schools  
Mr. Bill Allen, Triangle Tube

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Mr. Timothy Pierce  
Mr. Jose Rodriguez  
Mr. Kurt Bauer

1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

Chairperson Branch called the meeting to order at 10:00 a.m. A quorum was present at that time.

2. **INTRODUCTION**

Chairperson Branch introduced two new State Plumbing Board members. Mr. Walter Maner III who is representing the general public and Mr. Curt McNitt who holds a master plumber license.

3. **APPROVAL OF AGENDA**

A **MOTION** was made by Board Member Jones and supported by Board Member Busch to approve the agenda for the September 20, 2011 State Plumbing Board meeting. **MOTION CARRIED.**

4. **APPROVAL OF MINUTES**

A **MOTION** was made by Board Member Jones and supported by Board Member Nixon to approve the board minutes from the July 13, 2011 meeting. **MOTION CARRIED.**

5. **APPROVAL OF EXAMINATION MINUTES AND RESULTS**

A **MOTION** was made by Board Member Nixon and supported by Board Member Howard to approve the examination minutes and results of the Journey Plumber, Master Plumber and Plumbing Contractor Examination held on July 14, 2011. **MOTION CARRIED.**

6. **APPLICANTS APPEARING BEFORE THE BOARD**

**Mr. Jose V. Rodriguez**, Master Applicant, appeared before the board requesting permission to take the Master Plumber Examination. Mr. Rodriguez provided documentation verifying his out-of-state license was obtained through substantially the same requirements as the State of Michigan.

After a discussion with Mr. Rodriguez regarding his qualifications to take the Master Plumber Examination, a **MOTION** was made by Board Member Howard and supported by Board Member Jones to allow Mr. Rodriguez to take the Master Plumber Examination. **MOTION CARRIED.**

Mr. Timothy R. Pierce, Master Applicant, appeared before the board requesting permission to take the Master Plumber Examination. Mr. Pierce provided documentation verifying his out-of-state license was obtained through substantially the same requirements as the State of Michigan.

After a discussion with Mr. Pierce regarding his qualifications to take the Master Plumber Examination, a **MOTION** was made by Board Member Jones and supported by Board Member Howard to allow Mr. Pierce to take the Master Plumber Examination. **MOTION CARRIED.**

#### **7. GOOD MORAL CHARACTER APPEALS**

None

#### **8. NEW PRODUCTS**

##### **John Guest Speedfit Plumbing System Pipe and CTS Twist & Lock Fittings, BCCP-11-007**

Mr. Kirby Meagher and Mr. Jeff Nehring presented the board a product approval request from John Guest USA Inc. for John Guest Speedfit Plumbing System Pipe

A **MOTION** was made by Board Member Jones and supported by Board Member Busch to forward the product to the Commission for approval. **MOTION CARRIED.**

##### **Triangle Tube Challenger Combination Boiler and/or Water Heater Models CC85, CC105, and CC125, BCCP-11-009**

Mr. Kurt Bauer and Mr. Bill Allen presented the board a product approval request from Triangle Tube for Triangle Tube Challenger Combination Boiler and/or Water Heater Models CC85, CC105, and CC125.

A **MOTION** was made by Board Member Jones and supported by Board Member Maner to forward the product to the Commission for approval after Mr. Konyndyk has received the required complete test reports and after his review and approval. **MOTION CARRIED.**

##### **Sure Seal, Floor Drain Trap Seal Protection Device Model SS2009, SS3000, SS35909 and SS4009, BCCP-11-005**

Mr. Julius Ballanco presented the board a product approval request from Sure Seal, Floor Drain Trap Seal Protection Device for Model SS2009, SS3000, SS35909 and SS4009.

A **MOTION** was made by Board Member Jones and supported by Board Member Howard to forward the product to the Commission for approval. Chairperson Branch requested a show of hands for the voting process. Board Member Nixon and Busch voted against the motion. **MOTION CARRIED.**

9. **CONSTRUCTION CODE APPEALS REQUEST**

**Moore & Bruggink, Inc. – Orchard View Schools - CCC-PLBG-11-009**

Mr. Zachary Voogt presented the board an appeal request from the requirements of Sections 708.3.1, of the Michigan Plumbing Code for Orchard View Schools.

Following a review and discussion, a **MOTION** was made by Board Member Howard and supported by Board Member Jones to approve the appeal request for Orchard View Schools with the following condition: A camera must be used to create video documentation for review to confirm that backfall conditions are not present. **MOTION CARRIED.**

**Tower Pinkster Titus Associates Inc. – Reeths-Puffer Public Schools, Soccer Stadium - CCC-PLBG-11-010**

Ms. Susan Wheaton and Mr. Dean Van Zegeren presented the board an appeal request from the requirements of Sections 403.1, of the Michigan Plumbing Code for Reeths-Puffer Public Schools Soccer Stadium.

Following a review and discussion, a **MOTION** was made by Board Member Jones and supported by Board Member Howard to approve the appeal request for Reeths-Puffer Public Schools with the following conditions: A letter signed by the school authorities stating the alternate restrooms will be available for all events shall be provided and signs shall be posted to direct attendees to the additional available restrooms which will be verified to the chief by photographs. Further, a letter following a year of operation shall be provided providing an operational update. **MOTION CARRIED.**

**Coit Property LLC – Coit Station - CCC-PLBG-11-011**

Mr. Satpal Makkar and Mr. Richie Makkar presented the board an appeal request from the requirements of Sections 403.2 of the Michigan Plumbing Code for Coit Station.

Following a review and discussion, a **MOTION** was made by Board Member Howard and supported by Board Member Nixon to approve the appeal request for Coit Property LLC to only have one unisex restroom based on their testimony. **MOTION CARRIED.**

**10. NEW PRODUCTS**

**Wedi Fundo/Riolito Shower System, BCCP-11-008**

Mr. Konyndyk presented the board a product approval request from Wedi Corporation for Wedi Fundo/Riolito Shower System.

A **MOTION** was made by Board Member Jones and supported by Board Member Busch to table the product request and contact Mr. Bastian Lohmann for additional product details. **MOTION CARRIED.**

**11. CHIEF'S REPORT**

Mr. Konyndyk provided information on the following issues:

1. Backflow preventer testing for ASSE requirements was discussed. A 40 hour testing program will be conducted by Local 98. Two people from MPMCA will be attending October 10, 2011 – October 14, 2011.
2. The Bureau has received the 2012 International Plumbing Code books. Eleven names have been submitted by Mr. Konyndyk for the rules committee on the 2012 code cycle.
3. Ms. Phyllis Centers, Plumbing Inspector, has announced that she will be retiring at the end of this year. Her last day will be on December 31, 2011.
4. Ms. Jessica Lightner began working for the Plumbing Division on July 25, 2011. She has filled our vacant Word Processing Assistant position.

**12. LEGISLATIVE UPDATE**

Ms. Cindy Maher, MPMCA Director, announced that September 21, 2011 a hearing will be held on the House Bill 4561. They will discuss the three year and six year cycle changes for commercial and residential for the code changes. MPMCA conducted a survey of their members and most of the people preferred the three year cycle.

**13. UNFINISHED BUSINESS**

None

**14. NEW BUSINESS**

Board Member Howard and Board Member Busch informed the board members about recent safe drinking water discussions and how it pertains to the cross connection inspections of residential, commercial and industrial properties. DEQ guidelines recommend that a water utility owner or operator inspect residential properties for cross connections, at least every 3 years. DEQ has a cross connection rules manual which has policy and guidelines regarding test frequencies.

**15. PUBLIC COMMENT**

There were no public comments.

**16. NEXT MEETING**

December 13, 2011

**17. ADJOURNMENT**

Chairperson Branch adjourned the meeting at 12:40 p.m. Eastern Standard Time.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_





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Michigan State University  
Agriculture and Livestock Education Pavilion  
East Lansing, Michigan 48823

**EXAMINATIONS HELD**  
**September 7, 2011 and September 21, 2011**  
8:00 a.m. and 9:00 a.m.

**MEMBERS PRESENT**

Mr. Duane Branch, Chairperson  
Mr. David Jones  
Mr. Walter Maner  
Mr. Curt McNitt  
Mr. Daniel Nixon

**MEMBERS ABSENT**

Mr. Steve Busch  
Mr. Brock Howard

**DEPARTMENT OF LICENSING & REGULATORY AFFAIRS**

**PERSONNEL ATTENDING**

Mr. Andy B. Neuman Jr., Plumbing Division  
Mr. Joe Madziar, State Plumbing Inspector  
Ms. Phyllis Center, State Plumbing Inspector  
Mr. Mike Field, State Plumbing Inspector  
Mr. Bob Page, State Plumbing Inspector

Chairperson Branch introduced the Plumbing Board members. Mr. Andy Neuman provided instructions to the candidates.

Twenty nine master applicants had been approved for the examination; 22 applicants took the examination.

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Examinations Held

Page 2

September 7, 2011 and September 21, 2011

Ninety seven journey applicants had been approved for the examination; 78 Applicants took the examination.

The Assistant Chief of the Plumbing Division and four State Plumbing Inspectors assisted the State Plumbing Board with the examination.

Thirty three plumbing contractor applicants had been approved for the examination; 31 applicants took the examination.

The Chief of the Plumbing Division and two proctors assisted with the examination.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Duane Branch, Chairperson

Journey Plumber's Passed List  
September 21, 2011

<u>Journey Plumber</u>	<u>Address</u>
ADAMS, JOSHUA D	WARREN MI
CONLEY, RYAN D	BATTLE CREEK MI
GRAPENTIN, JONATHON D	LAPEER MI
HOLBROOK, MATTHEW W	FOWLerville MI
LAWRICK, JEREMY R	BARODA MI
MACFARLAND, CHRISTOPHER R	LIVONIA MI
MILLER, KEITH S	STURGIS MI
POLZIN, ANDREW J	MONTROSE MI
SCHLICHTER, DUSTIN T	EATON RAPIDS MI
STROEBEL, WAYNE F	SAGINAW MI
YARBROUGH, TRACEY L	WYANDOTTE MI

Master Plumber's Passed List  
September 21, 2011

Master Plumber

Address

COMER, TIMOTHY M

GRAND LEDGE MI

DAVIS, JOSEPH B

ROSEVILLE MI

DRUMM, MICHAEL A

FLUSHING MI

EADS, JEFFREY C

BAY CITY MI

HEXTALL, REED L

BRIGHTON MI

LUKAART, MITCHELL G

BYRON CENTER MI

PAULEY, GARY L JR

TAYLOR MI

Plumbing Contractor's Passed List  
September 7, 2011

<u>Plumbing Contractor</u>	<u>Address</u>
CHAPPEL, MATTHEW W	TRAVERSE CITY MI
COMER, TIMOTHY M	GRAND LEDGE MI 48837
CRANFORD, BERNARD	DETROIT MI
DICKERSON, FRANK J	HARPER WOODS MI
DUIS, FRED A JR	BARAGA MI
FERGUSON, MATTHEW E	NEWAYGO MI
FRANZEL, CHRIS J	PALMS MI
GAUTHIER, DALE M	TRAVERSE CITY MI
HARLOW, IVAN W	ST JOHNS MI
HESLIP, JESSICA E	ORTONVILLE MI
HUDSON, JAMES H	DORR MI
KRAKER, AARON M	DORR MI
KRAUSE, CONOR M	HOWELL MI
KUECKEN, ROBERT P	WHITE LAKE MI
KYGER, CHAD K	BATTLE CREEK MI
LADRIG, ADAM J	OKEMOS MI
LIFORD, LARRY R JR	OXFORD MI
NEHILA, FRANCIS E	ROMULUS MI
PIERCE, CHRISTOPHER L	BRIDGMAN MI
RIEGER, JOSEPH E	CLINTON TWP MI
RUFFIN, ADAM D	NEW HUDSON MI

Plumbing Contractor's Passed List  
September 7, 2011

Plumbing Contractor

Address

SCOTT, MICHAEL J

SHELBY TWP MI

VOGEL, JASON E

DEXTER MI

WESTDORP, PAUL M

BELDING MI

WOODS, RYAN P

WOLVERINE MI

GMC  
DEC 9/15/11  
NB

Application for Master Plumber Examination  
Michigan Department of Energy, Labor & Economic Growth  
Bureau of Construction Codes / Plumbing Division  
P.O. Box 30255, Lansing, MI 48909  
517-241-9330  
www.michigan.gov/bcc

92

Examination Fee: \$100.00 (Nonrefundable)

Authority: 2002 PA 733  
Comment: Necessary for examination consideration  
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Out of State Experience

SIGNATURE (NO APPLICANT)

OR 3-9-11

of 4,000

- Complete and sign original application. Type or print in
- Master plumbers who supervised you as a journey plumber
- Enclose a check made payable to the State of Michigan.
- Mail completed application (all pages must be submitted)

GMC – YES

notarized.

Eligibility of Applicants From Another State or Country

A person who is licensed as a master plumber in another state or country may qualify for examination upon a determination by the board that the license was obtained by the person through substantially the same or equal requirements as those of the state of Michigan. Out-of-state/country applicants must provide a copy of their current license with the licensing rules and regulations from that state/country.

Applicant Information

OFFICE USE ONLY

T-81 12631 ✓

NAME (Last, First, Middle)		LAST 4 DIGITS OF SOCIAL SECURITY NUMBER*
Baker, Jeffrey		
HOME ADDRESS		DATE OF BIRTH
CITY		COUNTY
STATE	ZIP CODE	TELEPHONE NUMBER (include Area Code)

Current Status

1. Have you previously applied to take the Michigan master plumber examination?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. Have you been licensed as a journey plumber in Michigan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Journey Plumber License No. 82-_____		
3. Are you licensed as a master plumber in another state or country?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Master Plumber License No. MP209539 State/Country Georgia		

Examination Preference

Examinations are conducted in March, June, September and December of each year. Please indicate a preference of examination date. If approved for examination, an admission card will be mailed to you approximately 10 days prior to the examination date. If the examination date you have selected is full, you will be scheduled for the next available examination.

Preferred Date

☒ No Preference - Next Available Examination

If you have a disability and require an accommodation to take the examination, please submit written documentation from a professional (education professional, doctor, psychologist, psychiatrist) to certify that your disabling condition requires the requested test accommodation. Forms are available from this office.

\*This information is confidential. Disclosure of confidential information is protected by the Federal Privacy Act.

**Background Information**

Have you been convicted of a felony or misdemeanor? ☒ Yes ☐ No

If yes, complete the Conviction History section below. Failure to accurately respond to this question will result in you forfeiting any rights of consideration for examination and issuance of a plumber's license in the state of Michigan.

**Conviction History**

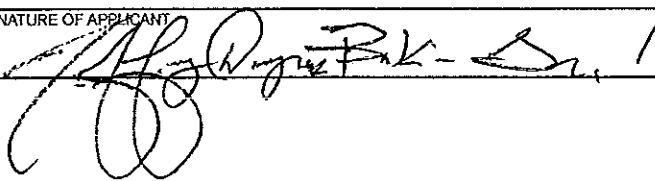
In accordance with the Former Offenders Act, 1974 PA 381, this is to provide you with an opportunity to explain your affirmative response to the question above which asked if you had been convicted of a felony or misdemeanor.

If you are unsure of exact details, respond to the best of your knowledge. The information requested on this form is required under 2002 PA 733 and will be used to process your application. Attach additional sheet(s) if necessary.

YOUR NAME WHEN CONVICTED	
Jeffrey Baker	
INDICATE CONVICTION(S) FOR WHICH YOU WERE CHARGED	
Theft by taking	
DATE(S) OF CONVICTION(S) AND SENTENCE(S)	
1994, five years probation - Released from civil liability in 2008, formal restoration of civil rights 2008-Eligible for full pardon 2011	
NAME AND ADDRESS OF SENTENCING COURT(S)	
Gwinnett Justice and Administration Center 75 Langley Dr Lawrenceville, GA 30045	
CHECK YES OR NO TO THE FOLLOWING	
1. Are you a current inmate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Are you currently on probation / parole? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, provide the name, address and telephone number of the correctional facility, probation officer or parole officer.	
RELEASE DATE FROM CUSTODY, PROBATION OR PAROLE	
2003 release from probation	
REHABILITATION PROGRAMS ENROLLED IN OR COMPLETED	
GED completed in 1997, life skills, addiction awareness, Bipolar Disorder Rehabilitation 2003	

**Conviction History Certification and Signature (To be signed only if Conviction History section above is completed)**

I hereby certify the statements and facts provided are true and accurate to the best of my knowledge. By signing this form, I give my permission to allow the Bureau of Construction Codes to contact appropriate agencies regarding my record of conviction(s).

SIGNATURE OF APPLICANT	DATE
	2/7/11



*Self employed*  
*Licensed Master Carstrated Since 2006*

**Employment Information** - This section is to be completed by the master plumber supervising the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER		
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)		
CITY			From: To:		
STATE			<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time No. Hours/Week _____		
ZIP CODE					
TYPE OF WORK PERFORMED					
<input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair					
DESCRIPTION OF WORK					
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____		
SIGNATURE OF MASTER PLUMBER			this _____ day of _____, _____		
LICENSE NUMBER			a Notary Public in and for _____ County, Michigan.		
			Signature of Notary Public _____		
			My Commission expires: _____, _____		

**Previous Employer** - This section is to be completed by the master plumber who supervised the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER		
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)		
CITY			From: To:		
STATE			<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time No. Hours/Week _____		
ZIP CODE					
TYPE OF WORK PERFORMED					
<input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair					
DESCRIPTION OF WORK					
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____		
SIGNATURE OF MASTER PLUMBER			this _____ day of _____, _____		
LICENSE NUMBER			a Notary Public in and for _____ County, Michigan.		
			Signature of Notary Public _____		
			My Commission expires: _____, _____		

**Certification and Signature (Must be signed by all applicants)**

I certify the information provided is true and accurate to the best of my ability and that I have the experience required for this examination. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.	
SIGNATURE OF APPLICANT	DATE

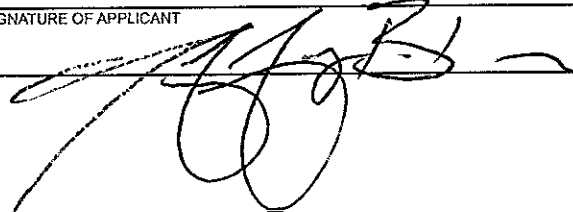
**Employment Information** - This section is to be completed by the master plumber supervising the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER	
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)	
			From: To:	
CITY	STATE	ZIP CODE	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time    No. Hours/Week _____	
TYPE OF WORK PERFORMED				
<input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair				
DESCRIPTION OF WORK				
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____ this _____ day of _____, a Notary Public in and for _____ County, Michigan.	
SIGNATURE OF MASTER PLUMBER			Signature of Notary Public _____	
LICENSE NUMBER			My Commission expires: _____	

**Previous Employer** - This section is to be completed by the master plumber who supervised the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER	
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)	
			From: To:	
CITY	STATE	ZIP CODE	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time    No. Hours/Week _____	
TYPE OF WORK PERFORMED				
<input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair				
DESCRIPTION OF WORK				
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____ this _____ day of _____, a Notary Public in and for _____ County, Michigan.	
SIGNATURE OF MASTER PLUMBER			Signature of Notary Public _____	
LICENSE NUMBER			My Commission expires: _____	

**Certification and Signature** (Must be signed by all applicants)

I certify the information provided is true and accurate to the best of my ability and that I have the experience required for this examination. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.	
SIGNATURE OF APPLICANT	DATE
	3/7/11

BAKER, JEFFREY  
PENDING MASTER APPLICANT



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

November 2, 2011

Mr. Jeff Baker

Dear Mr. Baker

A review of internet advertisements for your company indicates that you are performing plumbing work that requires a Michigan licensed master plumber and plumbing contractor. The State of Michigan plumbing license records indicate you have never been licensed nor have you been a registered apprentice. Your advertisements contain misleading information concerning your master plumber license.

You are in violation of the State Plumbing Act.

Section 338.3525 of the State Plumbing Act, 2002 PA 733, states in part:

- (1) "A person shall not engage in or work at the business of a plumbing contractor, master plumber, journey plumber, or apprentice plumber unless licensed or registered by the department. Except as provided in subsections (2), (3), (4), and (5), plumbing shall be performed by a licensed master or journey plumber. A licensed master plumber shall be in charge and responsible for proper installation and conformance with the code. Plumbing shall not be performed unless the plumbing contractor who is responsible has secured a permit from the state or a governmental subdivision authorized to issue permits."

Violation penalties of the Act are addressed in Section 338.3559, which states:

A person licensed or registered under this act who commits a violation of this act, or person not licensed or registered under this act who is performing any activity regulated by this act and is not exempt from licensure or registration under this act, is guilty of a misdemeanor punishable by a fine of not less than \$1,000.00 per day for each day the violation occurs except that a fine shall not exceed \$5,000.00 in total per violation or punishable by imprisonment for not more than 90 days, or both.

*Providing for Michigan's Safety in the Built Environment*

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P.O. BOX 30254 • LANSING, MICHIGAN 48909  
www.michigan.gov/bcc • Telephone (517) 241-9302 • Fax (517) 241-9570

November 2, 2011

Page 2

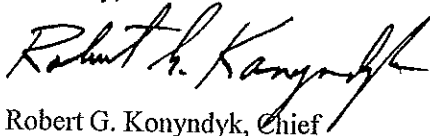
Therefore, because you are not licensed as a plumbing contractor, and/or do not employ, a licensed master plumber, you are hereby ordered to immediately **CEASE** and **DESIST** performing such plumbing activities that require licensure. Failure to do so may result in further action by this agency.

Again, you are to cease and stop this practice immediately.

Further, upon receipt of this letter it is expected that you provide a written response explaining your position in this matter within ten business days. Following an evaluation of your response, we will contact you to discuss our further actions.

If you have any questions prior to your written response, you may contact me at (517) 241-9330.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert G. Konyndyk".

Robert G. Konyndyk, Chief  
Plumbing Division

RGK/mkr

24

Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes, Plumbing Division, Robert G. Konyndyk  
PO BOX 30254  
Lansing MI 48909  
In RE: Allegations, libel

Jeffrey Dwayne Baker Sr.  
Master Plumber Unrestricted State of Georgia, MP209539

November 14, 2011

Dear Mr. Konyndyk,

Thank you for your perseverance in tracking down and prohibiting non licensed plumbers in the State of Michigan from performing work. It has been brought to my attention you are under the impression that I have conducted work in the State of Michigan without the proper licensure; I deny your allegations. I deny any and all allegations of any said illegal activities and or the performance of any trade in the State of Michigan without the proper licensure. I own no such plumbing or mechanical contracting firm in Michigan. I have requested that any advertising of my likeness be clarified to identify my professional licensure is from the State of Georgia.

Furthermore as a licensed Master Plumber who is unrestricted in the State of Georgia, I must say that in my opinion your actions seek only to exclude persons who are competent from performing their occupation and earning a decent living for their families. You and your board should be shamed for such actions and you raise a Federal question as to the constitutionality of your actions: *"Can a State who requires licensures based on the same standards, The International Plumbing Code, restrict the lawful right to contract within that State?"* I am sure you can derive that my opinion is that States who recognize The IPC should recognize the recipients of said licensure universally and for said boards to refuse the recognition of such licensure is absurd.

I have been advised of your threats to deny my right of acquiring licensure to satisfy your legal requirements for The State of Michigan based on your allegations. I will be in attendance of the December 13, 2011 meeting that your board has requested. I will be forwarding a copy of this communication to the Governor's Office as well. Remember that government derives its just powers from the consent of the governed Mr. Konyndyk.

Sincerely,



Jeffrey Dwayne Baker Sr.  
Master Plumber Unrestricted, State of Georgia MP209539

C.C. Governor Rick Snyder

Application for Master Plumber Examination  
Michigan Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes / Plumbing Division  
P.O. Box 30255, Lansing, MI 48909  
517-241-9330  
www.michigan.gov/bcc

92

Trans Info: 92 17020456-1 07/28/11  
CHK#: 530 Amt: \$100.00  
ID: KISATO ONKALO

Examination Fee: \$100.00 (Nonrefundable)

Authority: 2002 PA 733 Completion: Necessary for examination consideration Penalty: Application cancelled and fee forfeited	LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
---	--

Instructions: Applicant shall be at least 18 years of age, hold a journey license issued under 2002 PA 733 and have a minimum of 4000 hours experience in work as a journey plumber over a period of at least 2 y

- Complete and sign original application. Type or print in ink.
- Master plumbers who supervised you as a journey plumber must certify you.
- Enclose a check made payable to the State of Michigan.
- Mail completed application (all pages must be submitted) and payment.

Out of State Experience

GMC – YES

Eligibility of Applicants From Another State or Country

A person who is licensed as a master plumber in another state or country may qualify for examination upon a determination by the board that the license was obtained by the person through substantially the same or equal requirements as those of the state of Michigan. Out-of-state/country applicants must provide a copy of their current license with the licensing rules and regulations from that state/country.

Applicant Information

NAME (Last, First, Middle)		OFFICE USE ONLY T-81 12675	
Hagman, James, Franklin		LAST 4 DIGITS OF SOCIAL SECURITY NUMBER*	
HOME ADDRESS		DATE OF BIRTH	
CITY		COUNTY	
STATE	ZIP CODE	TELEPHONE NUMBER (include Area Code)	

Current Status

1. Have you previously applied to take the Michigan master plumber examination?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Have you been licensed as a journey plumber in Michigan? Journey Plumber License No. 82-_____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Are you licensed as a master plumber in another state or country? Master Plumber License No. 46408 _____ State/Country Ohio, USA.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Examination Preference

Examinations are conducted in March, June, September and December of each year. Please indicate a preference of examination date. If approved for examination, an admission card will be mailed to you approximately 10 days prior to the examination date. If the examination date you have selected is full, you will be scheduled for the next available examination.	
Preferred Date June	<input type="checkbox"/> No Preference - Next Available Examination
If you have a disability and require an accommodation to take the examination, please submit written documentation from a professional (education professional, doctor, psychologist, psychiatrist) to certify that your disabling condition requires the requested test accommodation. Forms are available from this office.	

\*This information is confidential. Disclosure of confidential information is protected by the Federal Privacy Act.

**Background Information**

Have you been convicted of a felony or misdemeanor? ☒ Yes ☐ No

If yes, complete the Conviction History section below. Failure to accurately respond to this question will result in you forfeiting any rights of consideration for examination and issuance of a plumber's license in the state of Michigan.

**Conviction History**

In accordance with the Former Offenders Act, 1974 PA 381, this is to provide you with an opportunity to explain your affirmative response to the question above which asked if you had been convicted of a felony or misdemeanor.

If you are unsure of exact details, respond to the best of your knowledge. The information requested on this form is required under 2002 PA 733 and will be used to process your application. Attach additional sheet(s) if necessary.

YOUR NAME WHEN CONVICTED

James F. Hagman

INDICATE CONVICTION(S) FOR WHICH YOU WERE CHARGED

DATE(S) OF CONVICTION(S) AND SENTENCE(S)

NAME AND ADDRESS OF SENTENCING COURT(S)

CHECK YES OR NO TO THE FOLLOWING

1. Are you a current inmate? ☐ Yes ☒ No

2. Are you currently on probation / parole? ☐ Yes ☒ No

If yes, provide the name, address and telephone number of the correctional facility, probation officer or parole officer.

RELEASE DATE FROM CUSTODY, PROBATION OR PAROLE

REHABILITATION PROGRAMS ENROLLED IN OR COMPLETED

**Conviction History Certification and Signature (To be signed only if Conviction History section above is completed)**

I hereby certify the statements and facts provided are true and accurate to the best of my knowledge. By signing this form, I give my permission to allow the Bureau of Construction Codes to contact appropriate agencies regarding my record of conviction(s).

SIGNATURE OF APPLICANT

DATE

**Employment Information** - This section is to be completed by the master plumber supervising the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER		
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)		
CITY	STATE	ZIP CODE	From: To:		
TYPE OF WORK PERFORMED			<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time    No. Hours/Week _____		
<input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair					
DESCRIPTION OF WORK					
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____ this _____ day of _____, a Notary Public in and for _____ County, Michigan. Signature of Notary Public _____ My Commission expires: _____		
SIGNATURE OF MASTER PLUMBER					
LICENSE NUMBER					

**Previous Employer** - This section is to be completed by the master plumber who supervised the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER		
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)		
CITY	STATE	ZIP CODE	From: To:		
TYPE OF WORK PERFORMED			<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time    No. Hours/Week _____		
<input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair					
DESCRIPTION OF WORK					
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____ this _____ day of _____, a Notary Public in and for _____ County, Michigan. Signature of Notary Public _____ My Commission expires: _____		
SIGNATURE OF MASTER PLUMBER					
LICENSE NUMBER					

**Certification and Signature** (Must be signed by all applicants)

I certify the information provided is true and accurate to the best of my ability and that I have the experience required for this examination. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.	
SIGNATURE OF APPLICANT	DATE
<i>James F. Kagan</i>	5/03/2001



CMC  
O/C  
10/14/11  
MS

Application for Master Plumber Examination  
Michigan Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes / Plumbing Division  
P.O. Box 30255, Lansing, MI 48909  
517-241-9330  
www.michigan.gov/bcc

92

Tran Info: 92 17160344-1 10/07/11  
CN# 4138 Amt: \$100.00  
ID: JF AHERN MECHANICAL CONTRACTING

Examination Fee: \$100.00 (Nonrefundable)

Authority: 2002 PA 733	LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
Completion: Necessary for examination consideration	
Penalty: Application cancelled and fee forfeited	

Instructions: Applicant shall be at least 18 years of age, hold a journey license issued under 2002 PA 733 and have a minimum of 4,000 hours experience in work as a journey plumber over a period of at least 2 years immediately preceding the date of application.

- Complete and sign original application. Type or print in ink.
- Master plumbers who supervised you as a journey plumber must certify your dates of employment and have their signature notarized.
- Enclose a check made payable to the State of Michigan.
- Mail completed application (all pages must be submitted) and payment to the address listed above.

Eligibility of Applicants From Another State or Country

A person who is licensed as a master plumber in another state or country may qualify for examination upon a determination by the board that the license of-state/country substantially the same or equal requirements as those of the state of Michigan. Out-

Out of State Experience

OFFICE USE ONLY

T-81

126 89

Applicant Information

NAME (Last, First, Middle)		LAST 4 DIGITS OF SOCIAL SECURITY NUMBER*	
Brenner Jason Joseph		XXX-XX- 7791	
HOME ADDRESS		DATE OF BIRTH	
CITY		COUNTY	
STATE	ZIP CODE	TELEPHONE NUMBER (Include Area Code)	

Current Status

1. Have you previously applied to take the Michigan master plumber examination?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. Have you been licensed as a journey plumber in Michigan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Journey Plumber License No. 82- _____		
3. Are you licensed as a master plumber in another state or country?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Master Plumber License No. 230904 State/Country Wisconsin		

Examination Preference

Examinations are conducted in March, June, September and December of each year. Please indicate a preference of examination date. If approved for examination, an admission card will be mailed to you approximately 10 days prior to the examination date. If the examination date you have selected is full, you will be scheduled for the next available examination.

Preferred Date \_\_\_\_\_

☒ No Preference - Next Available Examination

If you have a disability and require an accommodation to take the examination, please submit written documentation from a professional (education professional, doctor, psychologist, psychiatrist) to certify that your disabling condition requires the requested test accommodation. Forms are available from this office.

\*This information is confidential. Disclosure of confidential information is protected by the Federal Privacy Act.

**Background Information**

Have you been convicted of a felony or misdemeanor? ☐ Yes ☒ No

If yes, complete the Conviction History section below. Failure to accurately respond to this question will result in you forfeiting any rights of consideration for examination and issuance of a plumber's license in the state of Michigan.

**Conviction History**

In accordance with the Former Offenders Act, 1974 PA 381, this is to provide you with an opportunity to explain your affirmative response to the question above which asked if you had been convicted of a felony or misdemeanor.

If you are unsure of exact details, respond to the best of your knowledge. The information requested on this form is required under 2002 PA 733 and will be used to process your application. Attach additional sheet(s) if necessary.

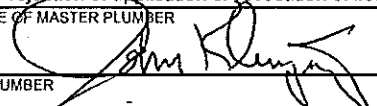
YOUR NAME WHEN CONVICTED	
INDICATE CONVICTION(S) FOR WHICH YOU WERE CHARGED	
DATE(S) OF CONVICTION(S) AND SENTENCE(S)	
NAME AND ADDRESS OF SENTENCING COURT(S)	
CHECK YES OR NO TO THE FOLLOWING	
1. Are you a current inmate?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Are you currently on probation / parole?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the name, address and telephone number of the correctional facility, probation officer or parole officer.	
RELEASE DATE FROM CUSTODY, PROBATION OR PAROLE	
REHABILITATION PROGRAMS ENROLLED IN OR COMPLETED	

**Conviction History Certification and Signature (To be signed only if Conviction History section above is completed)**

I hereby certify the statements and facts provided are true and accurate to the best of my knowledge. By signing this form, I give my permission to allow the Bureau of Construction Codes to contact appropriate agencies regarding my record of conviction(s).

SIGNATURE OF APPLICANT	DATE
------------------------	------


**Employment Information** - This section is to be completed by the master plumber supervising the applicant

NAME OF EMPLOYER <b>J. F. Ahern Co.</b>			NAME OF MASTER PLUMBER <b>John Klinzing</b>		
BUSINESS ADDRESS <b>855 Morris St.</b>			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR) From: <b>10/99</b> To: <b>3/02</b>		
CITY <b>Fond du Lac</b>	STATE <b>WI</b>	ZIP CODE <b>54935</b>	<input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time No. Hours/Week <b>40</b>		
TYPE OF WORK PERFORMED <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Heavy Construction <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Maintenance <input checked="" type="checkbox"/> Repair					
DESCRIPTION OF WORK Plumbing apprentice 8/95 - 10/99 Journeyman plumber from 10/99 - 3/02 Master plumber from 3/02 - present Plumbing design engineer 1/10 - present					
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, <u>John Klinzing</u> this <u>5<sup>th</sup></u> day of <u>October</u> , <u>2011</u>		
SIGNATURE OF MASTER PLUMBER 			a Notary Public in and for <u>Fond du Lac</u> County, <u>Wisconsin</u>		
LICENSE NUMBER <u>Wisconsin MP - 223628</u>			Signature of Notary Public <u>Teresa E. Annalt</u> My Commission expires: <u>Aug. 10, 2014</u>		

**Previous Employer** - This section is to be completed by the master plumber who supervised the applicant

NAME OF EMPLOYER			NAME OF MASTER PLUMBER		
BUSINESS ADDRESS			DATES OF JOURNEY EMPLOYMENT (MO/DAY/YR)		
CITY	STATE	ZIP CODE	From: To:		
			<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time No. Hours/Week		
TYPE OF WORK PERFORMED <input type="checkbox"/> Residential <input type="checkbox"/> Heavy Construction <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Maintenance <input type="checkbox"/> Repair					
DESCRIPTION OF WORK					
I certify I am/was engaged in the business of being an authorized master plumber and the applicant was actually in my employ as a journey plumber installing plumbing. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.			Subscribed and sworn before me, _____ this _____ day of _____, _____		
SIGNATURE OF MASTER PLUMBER			a Notary Public in and for _____ County, Michigan.		
LICENSE NUMBER			Signature of Notary Public _____ My Commission expires: _____		

**Certification and Signature** (Must be signed by all applicants)

I certify the information provided is true and accurate to the best of my ability and that I have the experience required for this examination. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.	
SIGNATURE OF APPLICANT 	DATE <b>10/5/11</b>

**MICHIGAN STATE PLUMBING BOARD  
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle  
Okemos, Michigan 48864

**Appeal Docket No.**  
CCC-PLBG-11-012

**Petitioner,** Mr. Timothy A. Casai, TMP Architecture, Inc., 1191 W. Square Lake Road, Bloomfield Hills, Michigan, 48032 for Detroit Country Day School, 22305 W. Thirteen Mile Road, Beverly Hills, Michigan, 48025.

vs

**Respondent,** Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes

**NOTICE OF HEARING**

Date: December 13, 2011  
Time: The meeting begins at 10:00 a.m. Eastern Standard Time  
Location: 2501 Woodlake Circle, Conference Room #3, Okemos, Michigan

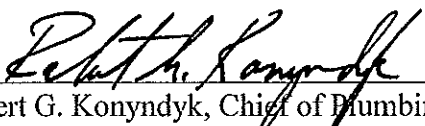
Pursuant to the authority contained in Section 16 of 1972 PA 230, the Stille-DeRossett-Hale Single State Construction Code Act (MCLA 125.1516).

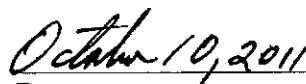
A Hearing will be held in response to the request of Mr. Timothy A. Casai, TMP Architecture, Inc., 1191 W. Square Lake Road, Bloomfield Hills, Michigan, 48032 for Detroit Country Day School, 22305 W. Thirteen Mile Road, Beverly Hills, Michigan, 48025 from the requirements of Sections 403.1 of the Michigan Plumbing Code.

**Exhibits:**

Exhibit A Copy of the application received from Mr. Casai dated September 16, 2011.

MICHIGAN STATE PLUMBING BOARD

  
Robert G. Konyndyk, Chief of Plumbing Division

  
Date

**Appeal Docket No.**  
**CCC-PLBG-11-012**

**NOTE**

The parties shall be given an opportunity to present oral and written arguments on issues of law and policy and an opportunity to present evidence and arguments on issues of fact.

Parties are expected to be prepared to present all competent evidence on all disputed issues. If a necessary witness will not appear voluntarily at this hearing, parties are entitled to subpoenas compelling their attendance and subpoenas duces tecum for submission of documentary evidence. A request for same must be made with the Bureau at the above address, Attention: Chief of Plumbing Division.

All proceedings shall be conducted in accordance with procedures applicable to the trial of contested cases under 1969 PA 306, being the Administrative Procedures Act of 1969.

**A CONSTRUCTION CODE APPEAL WILL BE GRANTED ONLY UPON A SHOWING OF GOOD CAUSE.**

**EXHIBIT A - MR. TIMOTHY A. CASAI, TMP ARCHITECTURE, INC., 1191 W. SQUARE  
LAKE ROAD, BLOOMFIELD HILLS, MICHIGAN, 48032 FOR DETROIT COUNTRY  
DAY SCHOOL, 22305 W. THIRTEEN MILE ROAD, BEVERLY HILLS, MICHIGAN,  
48025**



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

October 10, 2011

Mr. Timothy A. Casai  
TMP Architecture, Inc.  
1191 W. Square Lake Road  
Bloomfield Hills, Michigan 48032

Dear Mr. Casai:

Attached is a Notice of Hearing regarding an appeal from the requirements of Sections 403.1, of the Michigan Plumbing Code, for Detroit Country Day School, CCC-PLBG-11-012.

This hearing is in response to your request to appeal for relief from the requirements of the above referenced code section.

Please be prepared to address the board's concerns and provide any information which will aid in their decision. Additionally, please inform this office of the status of construction for the project.

If you have any further questions prior to the meeting, please contact me at (517) 241-9330.

Sincerely,

Robert G. Konyndyk, Chief  
Plumbing Division

RGK/mkr

*Providing for Michigan's Safety in the Built Environment*

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Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.  
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September 19, 2011

Michigan Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes  
Plumbing Division  
2501 Woodlake Circle  
Okemos, MI 48864

Re: Detroit Country Day School  
Gymnasium Addition  
BCC Project No. 98669 – Oakland  
TMP Project No. 11029

Dear Sirs:

Please see the following "Statement of Facts and Reasoning" to accompany the Application for Construction Code Appeal dated September 19, 2011:

*Statement of Facts and Reasoning:*

We are requesting an exception to Table 403.1 of the 2009 Michigan Plumbing Code, which requires new fixtures only to be used to meet plumbing fixture requirements. We are proposing to use both new and existing plumbing fixtures to satisfy the required fixture count for a new Proposed Gymnasium Addition.

Our design occupancy load for the Gymnasium is 1,428 (714 men and 714 women). The required toilet fixture count (per the 2009 Michigan Plumbing Code, Table 403.1 for Use Group A-4) is: 5 water closets, 5 urinals, and 4 lavatories for men and 18 water closets and 4 lavatories for women.

We propose to use new toilet facilities (identified as item '1' on the attached drawing) plus existing facilities within a maximum 500-foot travel distance of the addition (please reference 2009 Michigan Plumbing Code, Section 403.3.2) to satisfy the required fixture count. This travel distance encompasses existing toilet facilities adjacent to the existing Performing Arts Center (identified as item '2' on the attached drawing) and existing facilities adjacent to the existing Field House (identified as item '3' on the attached drawing).

The proposed new Men's Room has 3 water closets, 4 urinals, and 4 lavatories. The existing toilet facilities within 500 feet provide an additional 7 water closets, 6 urinals, and 9 lavatories. The total plumbing fixtures for the men would be 10 water closets, 10 urinals, and 13 lavatories which exceeds the required fixture count.

The proposed new Women's Room has 8 water closets and 6 lavatories. The existing toilet facilities within 500 feet provide an additional 13 water closets and 9 lavatories. The total plumbing fixtures for the women would be 21 water closets and 15 lavatories which exceeds the required fixture count.

The new, plus existing water closets within a 500 foot travel distance of the addition, support 750 men and 840 women which exceeds our design occupancy load.

c:\2011\11029\letters\041c.bcc appeal.doc

T M P ARCHITECTURE INC  
1191 WEST SQUARE LAKE ROAD • BLOOMFIELD HILLS • MICHIGAN • 48302  
PH • 248.338.4561 EX • 248.338.0223 • WWW.TMP-ARCHITECTURE.COM



Plumbing Division  
September 19, 2011  
Page No. 2

There are also additional existing plumbing fixtures just beyond this travel distance of 500 feet. These are located adjacent to the existing Fitness Center (identified as item '4' on the attached drawing). These provide an additional 3 water closets, 3 urinals, and 4 lavatories for the men and 14 water closets and 5 lavatories for the women. In fact these additional toilet facilities are immediately adjacent to the main athletic entry for home (Detroit Country Day School) fans attending athletic events at the school and in the proposed new gym.

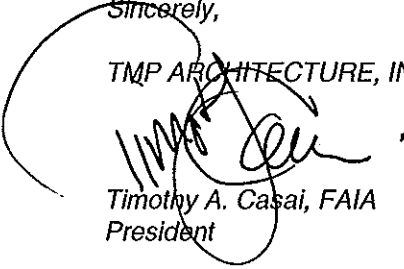
In addition, there are multiple existing toilet rooms located throughout the rest of the complex that are just beyond 500 feet. The existing fixtures, plus new proposed plumbing fixtures for the entire first floor of the building complex will equal a total fixture count as follows: 21 water closets, 18 urinals, and 30 lavatories for men and 50 water closets and 29 lavatories for women.

There will not be simultaneous use of the new proposed gym, existing gyms, existing performing art center, existing field house, existing fitness center, and existing classrooms. The total actual occupancy for the Detroit Country Day School complex is 820, which includes 670 students and 150 faculty/staff. (Please see attached Owner affidavit.) As stated earlier, the design occupancy of the proposed Gym is 1,428. The required plumbing fixture count is based on this higher number and the new, plus existing fixtures within 500 feet of the addition, support an amount greater than this. The existing facilities are along circulation routes and signage will direct users to them.

We respectfully submit that we will more than exceed the required plumbing fixture counts with the new proposed plumbing fixtures plus existing fixtures within 500 feet of the proposed Gym Addition.

Sincerely,

TMP ARCHITECTURE, INC.



Timothy A. Casai, FAIA  
President

TAC/kjh

Enclosures

cc: Bart Roeser – Cunningham Limp  
Dave Koziarz – TMP Architecture, Inc.



D E T R O I T C O U N T R Y D A Y S C H O O L

22305 WEST THIRTEEN MILE ROAD, BEVERLY HILLS, MICHIGAN 48025-4435  
(248) 646-7717 • Fax (248) 203-2184 • Mobile (248) 514-8380 • sstanley@dcds.edu  
www.dcds.edu

Scott Stanley  
*Director of Safety and Security*

13 July 2011

Bureau of Construction Codes

Re: Occupants – Detroit Country Day School 13 Mile Gym Project

We certify with this letter that the actual occupancy of the Detroit Country Day Upper School Complex will not exceed:

670 Students

155 Faculty/Staff

If you require any additional information, please feel free to contact Headmaster Glen Shilling or myself.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Stanley", with a long horizontal flourish extending to the right.

Scott Stanley  
Director of Safety, Security and Facilities



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

August 22, 2011

Mr. Timothy A. Casai  
TMP Architecture Inc  
1191 W Square Lake Road  
Bloomfield Hills, MI 48302

RE: Project Number: 98669 - Oakland	Use Group:	A4
Arch. Project Number: 11029	Construction Type:	IIB
Detroit Country Day School	Square Footage:	Add 29923
22305 W 13 Mile Road	Actual Occupant Load:	1264
Beverly Hills, MI48301		
Description: Add Gymnasium & Toilet Rooms		

Dear Mr. Casai:

This project has been reviewed for compliance with the State of Michigan Construction Code.

2009 Michigan Plumbing Code - Peter Ingalls

1. MPC, Section 403.1 - Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the code official. The number of occupancies shall be determined in accordance with the Michigan Building Code. Occupancy classifications shall be determined in accordance with the Michigan Building Code.  
Exception: The actual number of occupants determined by a supporting affidavit from the owner or agency.

Note based on a use group of A-4 and a bleacher seating capacity of 1264 you shall provide the following minimum fixtures. male= 9 water closets and 4 lavs Female = 16 water closets and 5 lavs. You shall also provide 2 drinking fountains and 1 service sink. Note at this time you are short 2 water closets for males and 8 water closets for females. Note only new restrooms will be counted for the new addition. You may seek a plumbing appeal if you want to use existing fixtures for new occupant load.

2. This project design does not comply with the minimum fixture requirements of Table 403.1 of the Michigan Plumbing Code. You may demonstrate compliance by revising your drawings and specifications showing the minimum required fixtures or you may appeal this matter to the state Plumbing Board by contacting the Plumbing Division at (517) 241-9330. If you decide to appeal, provide the Plan Review Division with a copy of your submitted Application for Construction Code Appeal.

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3. Note as stated in previous review letter dated 6-24-11 you shall make an appeal to the state plumbing board if you wish to use fixtures in adjacent building. It is reasonable to expect that visitors attending events in an auditorium or gymnasium school setting shall find plumbing fixtures within close proximity to the event. That is based upon common sense that attendees may not be familiar with their surroundings.

2009 Michigan Building Code - Stanley Skopek

1. MBC. 2009 Table 602 - Fire Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance - Provide on the construction documents the required fire separation distance or the required rated construction the area of concern is the pre-engineered metal building construction that is above the roof.

Section 702 - Definitions - Fire Separation Distance - See the definition on how a fire separation distance is measured.

2. 2006 MBC. Section 705 - Fire Walls - Provide on the construction documents a 2 hour fire rated walls that is in compliance with this code section. The fire wall is assumed to use 2 walls to make the fire wall separation. The use of 2 wall fire walls requires that each wall in the fire wall have it's own separate fire door or provide a portal door frame of masonry construction that spans each fire wall and has a clear separation from the fire walls with fire seal in the separation. The portal door frame is to be structural stabile if any of the fire walls collapse.

Provide on all the construction document details a clear separation of the portal frame from the fire wall with the gap fire sealed. The use of a bond Break is not allowed as a clear separation provide a air gap so that the upper wall is not constructed on top of the portal frame to ensure structural independence.

The details for the folding fire door still have issues of concern. Detail 5/A4.6 has exposed steel framing that is unprotected if one of the fire walls was to collapse this includes the light gauge steel stud drywall framing.

The structural construction documents do not match the architectural details.

How is the supporting beam of the folding fire door supported on each end?

Provide on the plan details 16/A5.1 and 17/A5.1 clear separation locations of the fire walls so that either side of the fire walls could collapse.

The roofing membrane can only extend up 1 foot on the fire wall to help prevent a fire from following up the wall onto the other side.

Mr. Timothy A. Casai

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August 22, 2011

2009 Michigan Building Code for footing and foundation - Stanley Skopek

1. The foundation and building permits will not be issued until the site review has been completed by this division.
2. The footing and foundation review will not be approved until the issues with the 2 hour fire walls are resolved.

Upon receipt of 2 complete set(s) of revised plans responding to the Plumbing, Building, code(s) plan review comments noted herein, the plan review approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241-9328.

Sincerely,

Signed and Filed on: August 22, 2011

..... Stanley Skopek, Plan Reviewer .....

SS/lg

cc: BCC - Mechanical, Electrical, Plumbing, Building Division(s)

**MICHIGAN STATE PLUMBING BOARD  
BUREAU OF CONSTRUCTION CODES**  
2501 Woodlake Circle  
Okemos, Michigan 48864

**Appeal Docket No.**  
**CCC-PLBG-12-002**

**Petitioner,** Dean Bergeman, MPA Architects, 218 South Francis Street, South Bend, Indiana, 46614 for Lakeland Niles Medical Office Building, 42 North St. Joseph Avenue, Niles, Michigan.

vs

**Respondent,** Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes

**NOTICE OF HEARING**

**Date:** December 13, 2011  
**Time:** The meeting begins at 10:00 a.m. Eastern Standard Time  
**Location:** 2501 Woodlake Circle, Conference Room #3, Okemos, Michigan

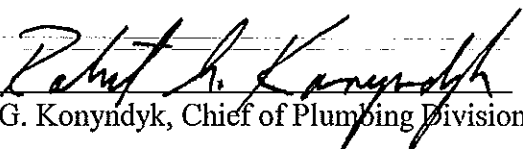
Pursuant to the authority contained in Section 16 of 1972 PA 230, the Stille-DeRossett-Hale Single State Construction Code Act (MCLA 125.1516).

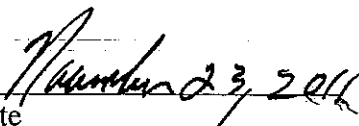
**A Hearing will be held in response to the request of Dean Bergeman, MPA Architects, 218 South Francis Street, South Bend, Indiana, 46614 for Lakeland Niles Medical Office Building, 42 North St. Joseph Avenue, Niles, Michigan from the requirements of Sections 410.1 of the Michigan Plumbing Code.**

**Exhibits:**

**Exhibit A** Copy of the application received from Mr. Beregman dated October 31, 2011.

MICHIGAN STATE PLUMBING BOARD

  
Robert G. Konyndyk, Chief of Plumbing Division

  
Date

**Appeal Docket No.**  
**CCC-PLBG-12-002**

**NOTE**

The parties shall be given an opportunity to present oral and written arguments on issues of law and policy and an opportunity to present evidence and arguments on issues of fact.

Parties are expected to be prepared to present all competent evidence on all disputed issues. If a necessary witness will not appear voluntarily at this hearing, parties are entitled to subpoenas compelling their attendance and subpoenas duces tecum for submission of documentary evidence. A request for same must be made with the Bureau at the above address, Attention: Chief of Plumbing Division.

All proceedings shall be conducted in accordance with procedures applicable to the trial of contested cases under 1969 PA 306, being the Administrative Procedures Act of 1969.

**A CONSTRUCTION CODE APPEAL WILL BE GRANTED ONLY UPON A SHOWING OF GOOD CAUSE.**

**EXHIBIT A - DEAN BERGEMAN, MPA ARCHITECTS, 218 SOUTH FRANCIS STREET,  
SOUTH BEND, INDIANA, 46614 FOR LAKELAND NILES MEDICAL OFFICE  
BUILDING, 42 NORTH ST. JOSEPH AVENUE, NILES, MICHIGAN**





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

November 22, 2011

Dean Bergeman  
MPA Architects  
218 South Francis Street  
South Bend, Indiana 46614

Dear Mr. Bergeman:

Attached is a Notice of Hearing regarding an appeal from the requirements of Sections 410.1, of the Michigan Plumbing Code, for Lakeland Niles Medical Office Building, CCC-PLBG-12-002.

This hearing is in response to your request to appeal for relief from the requirements of the above referenced code section.

Please be prepared to address the board's concerns and provide any information which will aid in their decision. Additionally please address the following questions to assist the board in their decision:

1. What is the status of construction?
2. Provide any plan review correspondence which would have addressed your appeal need.
3. Provide details on the bottled water cooler to familiarize the board with the alternative product.
4. Provide an architectural print sheet for the floor areas which you are seeking consideration.

If you have any further questions prior to the meeting, please contact me at (517) 241-9330.

Sincerely,

Robert G. Konyndyk, Chief  
Plumbing Division

RGK/jll

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October 31, 2011

Michigan Department of Licensing  
and Regulatory Affairs  
Bureau of Construction Codes  
PO Box 30255  
Lansing, MI 48909

To Whom It May Concern:

Four Flags Properties, Inc. is submitting an appeals application to waive the drinking fountain requirement for the lobby areas of the Lakeland Niles Medical Office Building, project #99597-Berrien, since each individual suite will be providing a bottled water cooler in the waiting areas. This is being done for sanitation reasons and also for patient preference. We have been utilizing bottled water coolers in excess of 5 years at Lakeland General Surgery, Lakeland Comprehensive Weight Loss Center, Lakeland Center for Wound Care and Hyperbaric Medicine, Southwestern Medical Clinic Women's Health and Obstetrics, and Lakeland Ear, Nose, and Throat.

It has been our experience that our patients prefer bottled water to fountain water, as the taste is better, and they receive a clean, disposable paper cup. Using the water cooler is more convenient for our elderly patients, who find it difficult to use water fountains.

We appreciate your consideration of our request. If you should have any questions, please contact me at 269.687.1414.

Sincerely,

Neil Colley, Supervisor  
Building Services  
31 N St. Joseph Avenue  
Niles, MI 49120

NC:bm

ature of 110°F (43°C) by a water temperature limiting device conforming to ASSE 1070.

#### SECTION 409 DISHWASHING MACHINES

**409.1 Approval.** Domestic dishwashing machines shall conform to ASSE 1006. Commercial dishwashing machines shall conform to ASSE 1004 and NSF 3.

**409.2 Water connection.** The water supply to a dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608.

**409.3 Waste connection.** The waste connection of a dishwashing machine shall comply with Section 802.1.6 or 802.1.7, as applicable.

#### SECTION 410 DRINKING FOUNTAINS

**410.1 Approval.** Drinking fountains shall conform to ASME A112.19.1M, ASME A112.19.2M or ASME A112.19.9M and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9. Where water is served in restaurants, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains.

**410.2 Prohibited location.** Drinking fountains shall not be installed in public restrooms.

#### SECTION 411 EMERGENCY SHOWERS AND EYEWASH STATIONS

**411.1 Approval.** Emergency showers and eyewash stations shall conform to ISEA Z358.1.

**411.2 Waste connection.** Waste connections shall not be required for emergency showers and eyewash stations.

#### SECTION 412 FLOOR AND TRENCH DRAINS

**412.1 Approval.** Floor drains shall conform to ASME A112.6.3, ASME A112.3.1 or CSA B79. Trench drains shall comply with ASME A112.6.3.

**412.2 Floor drains.** Floor drains shall have removeable strainers. The floor drain shall be constructed so that the drain is capable of being cleaned. Access shall be provided to the drain inlet.

**412.3 Size of floor drains.** Floor drains shall have a minimum 2-inch-diameter (51 mm) drain outlet.

**412.4 Public laundries and central washing facilities.** In public coin-operated laundries and in the central washing facilities of multiple-family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall

have a minimum outlet of not less than 3 inches (76 mm) in diameter.

#### SECTION 413 FOOD WASTE GRINDER UNITS

**413.1 Approval.** Domestic food waste grinders shall conform to ASSE 1008. Commercial food waste grinders shall conform to ASSE 1009. Food waste grinders shall not increase the drainage fixture unit load on the sanitary drainage system.

**413.2 Domestic food waste grinder waste outlets.** Domestic food waste grinders shall be connected to a drain of not less than 1.5 inches (38 mm) in diameter.

**413.3 Commercial food waste grinder waste outlets.** Commercial food waste grinders shall be connected to a drain a minimum of 2 inches (51 mm) in diameter. Commercial food waste grinders shall be connected and trapped separately from any other fixtures or sink compartments.

**413.4 Water supply required.** All food waste grinders shall be provided with a supply of cold water.

#### SECTION 414 GARBAGE CAN WASHERS

**414.1 Water connection.** The water supply to a garbage can washer shall be protected against backflow by an air gap or a backflow preventer in accordance with Section 608.13.1, 608.13.2, 608.13.3, 608.13.5, 608.13.6 or 608.13.8.

**414.2 Waste connection.** Garbage can washers shall be trapped separately. The receptacle receiving the waste from the washer shall have a removable basket or strainer to prevent the discharge of large particles into the drainage system.

#### SECTION 415 LAUNDRY TRAYS

**415.1 Approval.** Laundry trays shall conform to ANSI Z124.6, ASME A112.19.1M, ASME A112.19.3M, ASME A112.19.9M, CSA B45.2 or CSA B45.4.

**415.2 Waste outlet.** Each compartment of a laundry tray shall be provided with a waste outlet a minimum of 1.5 inches (38 mm) in diameter and a strainer or crossbar to restrict the clear opening of the waste outlet.

#### SECTION 416 LAVATORIES

**416.1 Approval.** Lavatories shall conform to ANSI Z124.3, ASME A112.19.1M, ASME A112.19.2M, ASME A112.19.3M, ASME A112.19.4M, ASME A112.19.9M, CSA B45.1, CSA B45.2, CSA B45.3 or CSA B45.4. Group wash-up equipment shall conform to the requirements of Section 402. Every 20 inches (508 mm) of rim space shall be considered as one lavatory.

**416.2 Cultured marble lavatories.** Cultured marble vanity tops with an integral lavatory shall conform to ANSI Z124.3 or CSA B45.5.



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

October 4, 2011

Mr. Bastian Lohmann  
Wedi Corporation  
1100 Landmeier Road  
Suite 200  
Elk Grove Village, IL 60007

Dear Mr. Lohmann:

I am writing to provide written documentation concerning the board's direction at their September 20, 2011 State Plumbing Board meeting. The board had several questions concerning your products drains.

The board took the following action:

A **MOTION** was made by Board Member Jones and supported by Board Member Busch to table the product request and contact Mr. Bastian Lohmann for additional product details.  
**MOTION CARRIED.**

A staff member from your company has indicated he will be at our December 13, 2011 board meeting to provide further product information.

Please be advised that without our review and approval further acceptance action will not be taken.

If you have any questions, please contact our office at 517/241-9330.

Sincerely,

Robert G. Konyndyk, Chief  
Plumbing Division

RGK/mkr

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**Konyndyk, Bob (LARA)**

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**From:** Sean Cleary [sean.cleary@iapmo.org]  
**Sent:** Tuesday, November 22, 2011 11:35 AM  
**To:** Konyndyk, Bob (LARA)  
**Subject:** Meeting on 12/13/2011

Mr. Konyndyk

I would like to request permission to appear before the Michigan Plumbing Board at your December 13<sup>th</sup> 2012 meeting to give a presentation on the American Society of Sanitary Engineering Backflow Certification program and on the work the ASSE and IAPMO Backflow Prevention Institute are doing to support improving backflow certification programs and training in Michigan and throughout the plumbing and mechanical industry. If time would allow, we would like to do a thirty minute presentation.

Sean Cleary  
 IAPMO/BPI  
 Director of Training and Education  
 P. 570-341-0370  
 F. 570-341-0371  
 C. 909-996-5336  
 E. sean.cleary@iapmo.org

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